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TRUDI G. MANFREDO, Bar No. 166474
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In the Matter of) Case No. 11-15063-A-7
BILLY JOE MURPHY and JANET) Chapter 7
MURPHY,) DC NO. TMT-1
) Date: August 17, 2011
) Time: 9:00 a.m.
Debtors.) Dept: B, Fresno
) Honorable Whitney Rimel

TRUSTEE'S MOTION FOR AUTHORITY TO SELL
THE BANKRUPTCY ESTATE'S INTEREST IN PERSONAL PROPERTY

Trudi G. Manfredo, Chapter 7 Trustee of the above referenced
bankruptcy estate ("Trustee"), respectfully represents as follows:

1. Trustee is the duly appointed qualified and acting Trustee
of the above-referenced bankruptcy estate.

2. Debtor filed under Chapter 7 of the Bankruptcy Code on
April 29, 2011, and an order for relief was entered.

3. This Court has jurisdiction over this proceeding under 28
U.S.C. §1334(a). This is a core proceeding under 28 U.S.C.

1 §157(b) (2) (A). This motion is brought pursuant to 11 U.S.C. §363.
2 Venue is proper in this Court pursuant to 28 U.S.C. § 1409(a) by
3 virtue of the pendency of this case before the Court.

4 4. Among the assets of this bankruptcy estate is the non
5 exempt equity in the 2005 Dodge Caravan ("Personal Property").

6 5. Debtors' Schedule B values this asset at \$3,975.00. They
7 exempted this asset for \$3,525.00 utilizing CCP §703.140(b) (2) and
8 \$450.00 for CCP § 703.140(b) (5).

9 6. Trustee believes that she could sell this Personal Property
10 at auction for \$5,200.00.

11 7. Trustee has received an offer from Debtors to purchase the
12 non exempt equity in this asset for \$500.00.

13 8. Trustee has accepted this offer and is currently holding
14 \$500.00 pending the Court's approval of the sale.

15 9. Trustee believes that this is a fair price for the Personal
16 Property. If the Personal Property sold for \$5,200.00, after
17 subtracting auctioneer's commission of 15%, \$445.00 would be
18 generated to the bankruptcy estate, which is less than the amount
19 offered by Debtors. The price to be received at auction is never
20 certain, plus the delay involved in auctioning the vehicle is non
21 warranted.

22 10. There will be no tax consequences to the estate as a result
23 of the sale.

24 11. This is not the only asset in this estate; however, it is
25 the last asset to be liquidated.

26 12. Trustee believes that the sale of the above-described
27 property is in the best interest of the creditors of this estate and
28 all parties in interest.

1 WHEREFORE, Trustee prays

2 1. That the Motion be granted.

3 2. That the Court issue an order authorizing the sale of the
4 Bankruptcy Estate's interest in the above Personal Property to
5 Debtors for \$500.00;

6 3. For such other and further relief as the Court deems just
7 and proper.

8 DATED: 7-11-11

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By /s/ TRUDI G. MANFREDO
Trudi G. Manfredo, Chapter 7
Trustee

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